

NCLT, KOCHI BENCH

Daily Orders – Draft

Date: 12th August 2021

In the Bench of: Shri Ashok Kumar Borah, Hon'ble Member (Judicial) & Shri Rajesh Sharma, Hon'ble Member (Technical)

1. Report 71/KOB/2021 in IA(IBC)/18/KOB/2021 in TIBA/14/KOB/2019

Learned Liquidator Shri Sasitharan Ramaswamy appeared through VC. This is the 2nd progress report of India Techs Limited for the quarter ended on 30th June, 2021. **Report is taken on record. Registry to place it in the appropriate record.**

2. CA(CA)/72/KOB/2021 in CP/24/KOB/2021

Learned counsel for the applicant Mr.Shameem Ahmed as well as learned PCS for the respondents Mrs. Sreepriya Kalarickal appeared through VC.

This IA has been filed by the Petitioner in the CP for the following reliefs:

- (a) To direct the respondents to deposit the video recording of the entire EGM that was convened on 21.5.2021 through Zoom online platform hosted by Respondents before this Hon'ble Tribunal with a copy to the petitioner.*
- (b) To direct the respondents to deposit a copy of the Resolution which the respondents claim to have passed in the EGM held on 21.5.2021 through the Zoom Online platform before this Tribunal with copy to the petitioner.*

When the matter was taken up for hearing today, learned PCS for the respondents submitted that as per the direction of this Tribunal the Resolution in the EGM has been kept in sealed cover and that if this Tribunal directs for producing the same before this Tribunal, the Respondents have no objection in producing the same before this Tribunal. However, she has objected to the relief for handing over a copy to the petitioner at present. She has also stated that she is ready to produce the video recording in question also before this Tribunal.

In view of the above submission, we direct the respondents to produce the Resolution in the EGM held on 21.5.2021 as also the video recording of that date before this Tribunal in a sealed cover within two weeks. Providing copy of the same to the petitioner will be decided when the Company Petition is considered. The sealed cover will be opened by this Tribunal, as and when it is required during the hearing of the Company Petition.

With the above direction, **CA(CA)/72/KOB/2021 stands partly allowed.**

3. CP/24/KOB/2021.

Learned counsel for the petitioner Mr.Shameem Ahmed as well as learned PCS for the respondents Mrs. Sreepriya Kalarickal appeared through VC. It is reported by the Registry

that the counter filed by the respondents is defective. Learned PCS stated that she will cure the defects and re-present the same within two weeks, with a corrected copy to the petitioner. Petitioner may file rejoinder if any, on or before 10.9.2021. List for hearing on **14.9.2021**.

4 IA/58/KOB/20219 in CP/114/KOB/2019

- 5. IA 83/KOB/2020 IN CP/114/KOB/2019**
- 6. IA/87/KOB/2020 IN CP/114/KOB/2019**
- 7. IA/95/KOB/2020 IN CP/114/KOB/2019**
- 8. CA/68/KOB/2021 IN CP/114/KOB/2019**
- 9. CP/114/KOB/2019**
- 10. IA/65/KOB/2019 IN CP/119/KOB/2019**
- 11. IA/84/KOB/2020 IN CP/119/KOB/2019**
- 12. IA/86/KOB/2020 IN CP/119/KOB/2019**
- 13. IA/93/KOB/2020 IN CP/119/KOB/2019**
- 14. CP/119/KOB/2019**
- 15. IA/85/KOB/2020 IN CP/125/KOB/2019**
- 16. IA/88/KOB/2020 IN CP/125/KOB/2019**
- 17. IA/94/KOB/2020 IN CP/125/KOB/2019**
- 18. CP/125/KOB/2019**

Learned counsel Shri Sukumar Ninan Oommen, Shri Sherry Samuel Oommen, Shri Gerooge Poothicote, Ms. Susy George as also learned PCS Shr Zibi Jose and Shri Sumit Agarwal appeared through VC. Since these matters are part heard matters and due to paucity of time, adjourned to 13.8.2021 for further hearing. List on **13.8.2021**.

As directed in our order dated 28th July, 2021, the respondent No.2 submitted an affidavit enclosing copy of the documents (A1 to A38). The learned counsel for the petitioner Shri Sukumar Ninan Oommen submitted that the documents submitted by the 2nd respondent are not originals. The learned counsel for respondents submitted that the 2nd respondent has filed an affidavit stating that the documents produced are the true copies of the originals. The Respondent No.2 is directed to produce the originals of documents (A1 to A38) before this Tribunal on or before 24.8.2021. The learned counsel for the petitioner may inspect the same, as per the rules.

- 19. CP/25/KOB/2020**
- 20. CP/26/KOB/2020**
- 21. CP/27/KOB/2020**
- 22. CA/64/KOB/2020**
- 23. CA/84/KOB/2020**
- 24. CA/46/KOB/2021 IN CP/02/KOB/2021**
- 25. CA/47/KOB/2021 IN CP/02/KOB/2021**
- 26. CP/02/KOB/2021**

Learned counsel Shri Sukumar Ninan Omman, Shri Sherry Samuel Oomman, Shri George Poothicote Ms.Susy George and learned PCS Shri Zibi Jose appeared through VC. Due to paucity of time, these matters are adjourned to 21.9.2021. List on **21.9.2021**.